

REMARKS

This application has been reviewed in light of the Office Action dated April 1, 2008. Claims 1-15 are presented for examination, of which Claims 1, 13, and 15 are in independent form. Claims 1-6, 10, and 11 have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

On page 3, the Office Action objected to Claim 1. Without conceding the propriety of that objection, Applicants have amended Claim 1 to remove the recitation "said account provider system operable to provide said account identifier." Accordingly, it is believed that the objection has been obviated, and its withdrawal is therefore respectfully requested.

The Office Action rejected Claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,096,204 (*Chen et al.*, hereinafter "*Chen*") in view of U.S. Patent No. 5,883,810 (*Franklin et al.*, hereinafter "*Franklin*"). Applicants respectfully traverse these rejections and submit that independent Claims 1, 13, and 15, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

Claim 1 recites, in part, "said account identifier including at least a first account identifier portion and a second account identifier portion, . . . [and a] proxy account identifier including said first account identifier portion" (emphasis added). Accordingly, the proxy identifier includes a portion of the account identifier.

Applicants have carefully studied *Chen* and are unable to agree with the Office Action's characterization of that reference for the following reasons. On pages 3 and 4, the Office Action appears to equate Applicants' claimed "account identifier" with *Chen's* true consumer identity and Applicants' claimed "proxy account identifier" with *Chen's* temporary identity. Applicants respectfully submit that *Chen's* temporary identity fails to include any

portion of *Chen*'s true consumer identity and thus, for at least this reason, *Chen* does not teach or reasonably suggest "said proxy account identifier including said first account identifier portion," as recited by Claim 1.

Chen is directed to a "consumer obtaining a temporary identity from the broker by using the true consumer identity from the secure token." *See Chen* Col. 1, lines 47-49; *see also Chen* Col. 15, lines 10-15. After obtaining a temporary identity, the consumer can then make a purchase from a vendor using the temporary identity. *See Chen* Col. 1, lines 50-52. Nothing has been found in *Chen* to teach or reasonably suggest that *Chen*'s temporary identity includes a portion of the true consumer identity. In stark contrast, *Chen*'s temporary identity appears to consist of a random number and nothing more. *See Chen* Col. 18, lines 45-47.

Furthermore, nothing has been found in *Franklin* to cure the aforementioned deficiencies of *Chen*.

For at least these reasons, Applicants submit that the Office cannot sufficiently establish a *prima facie* case of obviousness against Claim 1, and that the proposed combination of *Chen* and *Franklin*, even if deemed legally permissible or technically feasible, would fail to arrive at the payment system of Claim 1 supporting a proxy account identifier that includes a portion of an account identifier. Accordingly, the rejection under 35 U.S.C § 103(a) is deemed obviated, and its withdrawal is respectfully requested.

Independent Claims 13 and 15 include a feature similar to the proxy account identifier feature discussed above with respect to Claim 1. Therefore, those claims are also believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the

same reasons. Since each dependent claim also is deemed to define an additional aspect of the invention individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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